

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q85522

Shinji NAKADE, et al.

Appln. No.: 10/519,113

Group Art Unit: 1614

Confirmation No.: 9389

Examiner: Craig D RICCI

Filed: November 1, 2005

For: PHARMACEUTICAL COMPOSITION FOR TREATMENT OF DISEASE DUE TO
VASCULAR CONSTRICTION OR VASODILATION

RESPONSE TO RESTRICTION AND ELECTION OF SPECIES REQUIREMENTS

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This responds to the Restriction Requirement and Election of Species, dated June 9, 2009. In response to the Restriction Requirement, Applicants elect Group I, Claims 10-60 for examination. This election is made without traverse.

In response to the Examiner's requirement to elect a species and corresponding structural formula of formula (I) as recited by instant claim 10 by defining each of A, X, Y, Z, and B with specificity, Applicants elect the compound of Example 1(64), i.e. 4-(2-ethylbutyl)-N-(3-fluoro-5-(trifluoromethyl)phenyl)-4-hydroxy-1-piperidinecarboxamide, without traverse.

This compound is a compound of formula (I), in which A is a piperidine ring among a cyclic group optionally with a substituent(s), X is a single bond, Y is a -CO- among a spacer of

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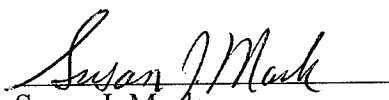
principal chain atomicities which are 1-3, Z is -NH- among a spacer of principal chain atomicities which are 1-3, and B is a benzene ring among aromatic ring among cyclic group optionally with a substituent(s).

The following claims read upon the elected species: 10-16, 44, 46-47, 55, 57-58, and 60.

Applicants reserve the right to file a Divisional Application directed to non-elected claims.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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Date: July 9, 2009